IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 52 of 2001

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

ASFAKKHAN TABBARKHAN

Versus

STATE OF GUJARAT

Appearance:

THROUGH JAIL for Petitioner

MR SAMIR DAVE, APPo for Respondent No. 1

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 13/02/2001

ORAL JUDGEMENT

Rule. Mr.Samir Dave waives service of Rule on behalf of respondents. The petitioner applied for grant of furlough leave to the Inspector General (Prisons) Ahmedabad, on 22.2.2000 but his application has not been decided so far. Once an application is filed for grant

of furlough leave, whether it has to be accepted or not, same has to be decided by the I.G. Prisons at an early date. This action on the part of I.G. Prisons of sitting over the application for grant of furlough leave deserves to be deprecated. This inaction by I.G. Prisons has resulted in unnecessary litigation before this court which is already facing serious problem of overcoming heavy pendency of matters.The special criminal application is disposed of with directions to the I.G. Prisons, Ahmedabad, to decide the application filed by petitioner for grant of furlough leave within a period of seven days from the date of receipt of Writ of this order. Rule and special criminal application stand disposed of with no order as to costs.

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(sunil)